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Globalization and its impact on the full enjoyment of all human rights

Report of the Secretary-General

Summary

The Secretary-General submits the present report in compliance with General Assembly resolution 58/193. In that resolution, the Assembly requested the Secretary-General to seek further the views of Member States and relevant United Nations agencies on globalization and its impact on the full enjoyment of all human rights, and to submit a substantive report thereon to the Assembly at its fifty-ninth session.

The report summarizes replies received in response to a request for information sent pursuant to the aforementioned resolution. Responses were received from the Governments of Azerbaijan, Chile, Costa Rica, Cuba, Finland, Italy and the Syrian Arab Republic.

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Contents

		Page
I.	Introduction	3
II.	Replies received from Governments	3
	Azerbaijan	3
	Chile	4
	Costa Rica	6
	Cuba	8
	Finland	10
	Italy	12
	Syrian Arab Republic	12

I. Introduction

1. In its resolution 58/193 of 22 December 2003, the General Assembly took note of the report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/58/257) and requested the Secretary-General to seek further the views of Member States and relevant United Nations agencies and to submit a substantive report on this subject to the Assembly at its fifty-ninth session.

2. Pursuant to that request, on 27 April 2004, the Office of the United Nations High Commissioner for Human Rights sent a request for views on this issue. As of 13 August 2004, the Office has received responses from the Governments of Azerbaijan, Chile, Costa Rica, Cuba, Finland, Italy and the Syrian Arab Republic. Those replies are summarized as follows. The full texts of the replies are available with the Secretariat for consultation.

II. Replies received from Governments

Azerbaijan

[Original: Russian]

1. The Government of Azerbaijan focuses its response on the question of poverty reduction and economic development in Azerbaijan. Azerbaijan notes that it had suffered political and economic crises in the late 1980s and early 1990s, during which time the gross domestic product dropped each year and the process of hyperinflation accelerated. Economic reforms started in 1994. In February 2003, the head of State approved a State Programme for Poverty Reduction and Economic Development with the aim of ensuring steady economic growth. The programme contained six strategic objectives: boosting macroeconomic stability; broadening income-generating opportunities; improving the quality of education, health and other social services and facilitating access to them; developing infrastructure; enhancing social welfare for vulnerable groups; and improving living conditions for refugees and displaced persons.

2. In this context, gross domestic product grew by 11.2 per cent in 2003, inflation fell to 2.2 per cent and over $17.5 billion was invested in Azerbaijan up to the end of 2003. Importantly, the economic reforms made possible a marked improvement in the standard of living as a result of increases in the average monthly wage. To further reforms, particularly in regional areas, the President approved a State Programme for the Socio-economic Development of the Regions for 2004-2008. The main aim of the programme is the creation of 600,000 new jobs through the development of the non-oil sector.

3. Azerbaijan notes some specific reforms relevant to the social sector, including: reform of the energy sector; preparation for reform of the gas, heat, water and sewerage networks; reform of the education and health system; consolidation of the pension system through the introduction of legislative and regulatory measures; the rehabilitation of housing centres for the disabled and families of war victims; the creation of new settlements for refugees and displaced persons; and the introduction of plans to come to terms with the unemployment problem of refugees.

4. Azerbaijan also notes areas of reform in the business, banking, finance and investment sectors, including: the establishment of a Council of Entrepreneurs to remove obstacles to business activity; the provision of extrafinancial resources to entrepreneurs; the encouragement of banking in regional areas; the channelling of financial credit to fund regional projects, which has led to the creation of 8,000 jobs in 2003-2004; and the privatization of State enterprises, including State banks.

5. Azerbaijan notes that the successful implementation of the measures set out in the programme calls for regular monitoring. To this end, a new unit within the secretariat of the programme — the Poverty Monitoring Unit — was set up in February 2003, with the help of technical assistance provided by the United Nations Development Programme. As a result of the implementation of some of the measures under the programme, the poverty level in the country fell slightly to 44.7 per cent in 2003 (as compared to 61 per cent in 1996).

6. In the coming years, in order to raise the standard of living of the population, steps will be taken for the strengthening of macroeconomic stability; the allocation of oil revenues for the development of the non-oil sector through effective and transparent management; acceleration of the socio-economic development of the regions; expansion of the private sector; and improvement of the volume and quality of social services.

7. Nonetheless, there are still important inequalities in income between various people and population groups. For example, in 1999, the World Bank found that the Gini coefficient in Azerbaijan stood at 0.44, although it should be pointed out that initial results for 2002 indicated a drop in the coefficient to 0.271, reflecting more equal distribution than in previous years.

Chile

[Original: Spanish]

1. The Government of Chile notes the increasing importance of human rights in public policy debates as an ethical framework for economic and social policies and for the construction of more democratic, egalitarian and socially integrated societies. Considering human rights not only as an objective of public policies but also as relevant to the way those policies are formulated has led to the introduction of a new way to view development — namely, a rights-based approach to development. The present resolution (58/193) extends this framework to the context of globalization.

2. The adoption of a rights-based approach to the design, execution and monitoring of economic and social policies implies the need to analyse public programmes and social services, in an attempt to determine the extent to which they create and consolidate capacities and opportunities for individuals to improve their lives and to influence the decisions that affect them. Paragraph 3 of the present resolution envisages such an approach.

3. In relation to paragraph 6 of the present resolution, it is relevant to note that from 1990 onwards, the Governments of the Concertación de Partidos por la Democracia adopted a development strategy, the principal objectives of which sought to improve the quality of life for the population, particularly through the reduction of poverty, discrimination and exclusion. In contradistinction to what

happened in the 1980s, this strategy has affirmed the active responsibility of the State with regard to social development so that social challenges are not resolved solely by the market and through short-term remedies. At the same time, the strategy has affirmed that public social action is an important instrument to develop the human capital necessary for modernization and economic growth.

4. In the context of globalization, achieving sustainable economic growth requires substantial improvements in productivity and international competitiveness. For this reason, the strategy adopted by the Concertación de Partidos por la Democracia has proposed, as the most efficient means of improving economic competitiveness, the creation of macroeconomic stability, integration into the world economy, an increase in investment in physical capital as well as the strengthening of the quality of human resources.

5. Apart from the relevant financial and economic policies introduced to meet these objectives, Chile has also introduced some specific and complementary social programmes, as follows:

(a) Education reform — 12 years of compulsory education for all, intercultural education, incorporation and strengthening of information technology in education;

(b) Health reform — introduction of a rights-based approach, auto-management of hospitals;

(c) Justice reform — penal reform, parliamentary discussion of the introduction of family courts, strengthening of workers' rights tribunals;

(d) Labour reform — unemployment insurance, study of flexible labour contracts, reform of training systems;

(e) Housing reform — focus of public resources on the poorest individuals, public-private finance partnerships, automatic savings deductions, private credit and public subsidies;

(f) Incorporation of the private sector in social investment — commitment to invest in private entities, investment for public works;

(g) Focus of resources on the poor — among other projects, Chile highlights the Sistema de Protección Social Chile Solidario, the Programa Pobreza Urbana, the Programa Chile Barrio and the Programa Orígenes.

6. In relation to paragraphs 2, 3 and 6 of the present resolution, Chile notes that the standard of living is satisfactory in a number of ways. In general, essential social service coverage places Chile among those countries considered as having a transitional level of development, with a higher standard of living than poor countries but still falling behind developed countries. Chile, although relatively small, is a country that creates wealth, particularly through the exportation of primary materials.

7. In spite of this, figures concerning income distribution indicate the existence of inequities, particularly in relation to the persistence of poverty, which, although reduced to below 20 per cent of the population, still indicates slower rates of reduction for indigent people. Significantly, while the level of poverty among the non-indigent population diminished by 2.5 per cent between 1996 and 2000, the

level among the indigent population diminished by only 0.1 per cent over the same period.

8. According to Chile, such a situation does not sit well with its economic and institutional position in the world and does not correspond to the measures that the Government has developed to protect the extremely poor. In light of this, the Government of Chile has, since 2002, started to design, introduce and develop an integrated system of social protection for the poorest families in the country — the Programa Chile Solidario. This programme combines assistance and promotion to combat extreme poverty with measures to attain sustainable and equitable economic growth.

9. Chile also notes that its Indigenous Policy (2004-2006) corresponds to the terms of paragraph 10 of the present resolution, which encourages the international community to respond to globalization in a manner that respects cultural diversity. The Programme seeks to achieve three objectives over the next two years as follows:

(a) The improvement of the level of recognition of the human rights of indigenous peoples;

(b) The strengthening of development strategies;

(c) The adjustment of public institutions to take into account the cultural diversity of the country.

Costa Rica

[Original: Spanish]

1. According to the Government of Costa Rica, although globalization was initially considered as an economic process, it is now recognized that globalization also includes social, political, environmental, cultural and legal dimensions that have repercussions for the full enjoyment of human rights. Costa Rica believes that the international community must confront the difficulties posed by globalization and take advantage of its opportunities in a manner that respects cultural diversity.

2. Costa Rica has adopted a range of measures to promote and protect human rights in the context of globalization, principally in the areas of human rights protection, the right to equitable development and the right to sustainable development.

3. Firstly, in the context of human rights protection and globalization, Costa Rica has actively promoted human rights in various forums linked to the Summit of the Americas. For example, in 1994, at the Summit meeting in Miami, United States of America, leaders encouraged the review and strengthening of laws related to the protection of minorities, the improvement of prison conditions and the consolidation of freedom of expression as a fundamental human right of all. At the Summit meeting in Santiago in 1998, heads of State and Government went beyond the decisions taken at Miami and included new mandates, inter alia, the improvement of human rights education for law enforcement officials and the reduction in the number of people awaiting trial. Later, at the Summit meeting held in Quebec City, Canada, leaders discussed the fight against genocide, crimes against humanity and crimes of war within the framework of human rights and urged Member States at the

Summit to recognize the importance of the Regional Conference of the Americas against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which had taken place in Santiago in 2000.

4. Secondly, in relation to the right to equitable development, the most recent Summit meeting in Monterrey, Mexico, sought to facilitate hemispheric cooperation as a means of combating the economic, social and political challenges of the region raised by globalization. The Summit discussed three main themes — equitable economic growth; social development; and democratic governance — which are relevant to the right to equitable development.

5. The Government of Costa Rica considers equitable economic growth as a key issue. Equitable economic growth includes four themes — financing for development, a favourable economic environment and the improvement of social mobility and stability. In relation to financing for development, Costa Rica emphasizes that conditions attached to finance should be appropriate to the countries in the hemisphere. The Summit also recognized that debt constituted a significant obstacle to investment in many countries of the hemisphere.

6. With regard to establishing a favourable economic environment, Governments at the Santiago Summit adopted several measures in relation to micro, small and medium-scale enterprises. For example, Governments agreed to ensure that the 50 million micro, small and medium-scale enterprises of the region should have access to adequate financial services and should be able to register, obtain licences and meet labour standards in a more efficient manner. Furthermore, at the Quebec Summit, Governments, reiterating the importance of the measures adopted in Santiago, agreed on the importance of creating a positive environment for small and medium enterprises. For instance, Governments agreed on improving market access to youth, individual enterprises and enterprises constituted by women, people with disabilities, indigenous peoples and rural people. In Monterrey, the President of Costa Rica stated his conviction that Latin America had to recognize more clearly the role of business in creating conditions for development, employment growth and the improvement of the economies of the region. For decades, Costa Rica has systematically promoted a policy focused on the improvement of the best possible human development and reduction in poverty, while at the same time promoting private sector initiatives aimed at social development. This policy has helped improve economic growth and improvements in trade so that, in 2003, Costa Rica was the country with the second highest level of growth in the region of Latin America and the Caribbean.

7. In relation to the improvement in social stability and mobility, heads of State and Government at the Summit meeting in Santiago sought to simplify and decentralize the registration procedures for property registers and sought the technical and financial assistance of the World Bank and the Inter-American Development Bank to support the initiative. The Organization of American States, together with the United States Agency for International Development, created a web site to assist the initiative. The Summit meeting in Quebec reaffirmed and strengthened this initiative. Furthermore, the Plan of Action of the Quebec Summit called on different institutions to investigate the impact of policies and economic processes on women and men, on rural and urban populations, on indigenous and non-indigenous peoples as well as on the informal and voluntary sectors.

8. Thirdly, with regard to the right to sustainable development, Costa Rica notes that the concept of sustainable development alludes to social progress, economic prosperity and the adequate management of the environment — an issue considered at the first Summit meeting in Miami. This theme has a significant impact on the world agenda and has an important role to play in the context of globalization. According to the Government of Costa Rica, sustainable development has two principal features. First, sustainable development must be durable over time. Second, sustainable development implies integrated development in that it includes all spheres of development relevant to the human being — political, economic, social and environmental. It is in the context of this interpretation of sustainable development that Costa Rica has participated at the regional level and at the international level in the Commission on Human Rights with its sponsorship of the resolution on human rights and the environment. The Government of Costa Rica refers also to a range of regional initiatives concerning sustainable development leading to the Third Summit of the Americas in 2001 which, among other things, emphasized the importance of the negotiation and adoption of Multilateral Environmental Agreements. That Summit also promoted the active use of inter-American institutions, such as the Organization of American States and the Panamerican Health Organization, to implement the sustainable development agenda.

9. Finally, Costa Rica recommends that, in order to minimize the negative effects of globalization on the enjoyment of human rights, measures should be adopted in the following key areas: the promotion and protection of human rights; the strengthening of the protection of minority groups; the remedying of inhumane conditions in prisons; and the establishment of the freedom of expression as a fundamental right for all.

Cuba

[Original: Spanish]

1. The Government of Cuba underlines the important role of the international community, through the United Nations as the most representative and universal forum, to ensure the equal enjoyment for all of the potential benefits of globalization. For Cuba, globalization is an objective process, based in historical development and technology — in particular transport, communication and information technology — that has profound repercussions for all spheres of economic, political, social and cultural life. The phenomenon of globalization is typified by increasing world interdependence, where acts in one part of the world have consequences for people living in other countries, which goes to underline the importance of the intrinsic right of all to participate in the management and administration of processes that have global repercussions.

2. Essential questions in relation to globalization include: are neoliberal theories capable of promoting and protecting all human rights of all people throughout the world? Can these theories respond to the current problems facing the realization of the right to development for all developing countries? Can these theories find an effective solution to the environmental and social debt problems facing the planet? The answer is no.

3. One of the central problems in relation to globalization has been the fact that, over recent decades, transnational rings of political, economic and information power, whose cartels of power are situated in developed countries, have spread liberalization and deregulation theories throughout the world as a universal solution. However, "liberalization" is a fallacy. While developed countries and the multilateral trade and financial institutions controlled by those countries seek to deregulate markets and eliminate subsidies in developing countries, the countries of the Organization for Economic Cooperation and Development (OECD) maintain a range of barriers to market access, migration and transfer of technology to and from developing countries.

4. For example, the European Union and Japan continue to provide increasingly higher levels of agricultural subsidies. Protectionism and production methods in OECD countries are reducing incentives in other regions, distorting trade and worsening inequalities, affecting in turn consumer patterns and food security, lowering international prices for primary materials and limiting opportunities of growth for poor countries. Similarly, neoliberal theories have not led to a multiplication of economic actors but rather to a concentration of property in the hands of transnational corporations against which small producers and corporations in developing countries cannot compete.

5. In fact, in spite of the improvements in global indices over the past 50 years in developed countries and in some developing countries, the reality is that growth is unequal both within nations and between nations. For example, while over the last 50 years, the consumption of water has tripled, the consumption of fossil fuels has increased fivefold, the consumption of meat has increased by 550 per cent, carbon dioxide emissions have grown by 400 per cent and world trade has increased by 1,568 per cent, only 28 per cent of the world's population (1.728 billion people) can be considered real consumers, half of whom live in developed countries. If the consumption patterns of these people were to extend to the world's population, the resulting stress on water consumption, energy, resources, loss of biodiversity, deforestation, pollution and climate change would be unsustainable.

6. Similarly, in almost all parts of the world, globalization has reduced the role of the State and its economic and financial capacity to realize the right to development and to maintain, offer and guarantee basic public services in education, health and social security, particularly as a result of privatization. In particular, the centres of power seek arbitrarily to impose liberal democracy formulas as a means of creating internal divisions in countries so as to facilitate external domination. Similarly, these centres of power in the North seek to impose their interpretation of human rights on other countries, over emphasizing the role of civil and political rights. However, experience shows that liberal democracy demonstrates its incapacity to meet the needs and political aspirations of many people in developed countries, with multiparty democracy being reduced to bi-party and even single party democracy in reality.

7. Furthermore, neoliberal globalization is contributing to the expansion of vice and crime, including: drug trafficking, prostitution and pornography; migrant trafficking; ill-treatment of women and children; paedophilia; and, racism, racial discrimination, xenophobia and related intolerance. In this context, the rise of right-wing parties, based on programmes of xenophobia and anti-immigration, is worrying.

8. As a result, the right of every person to the establishment of an international and social order in which all human rights and freedoms can be fully enjoyed has not only not yet been reached but is also becoming more and more unattainable. In particular, free trade agreements, such as those adopted within the framework of the World Trade Organization, favour developed countries and perpetuate and deepen inequalities between these countries and developing countries.

9. International cooperation and an international order suitable to the realization of all human rights should become urgent priorities for the international community, particularly for those that have benefited most until now. The principal reason behind the problems raised by the current period of globalization is the absence of real political will of developed countries to meet international commitments and to change the current rules of the game. Cuba is convinced that the existence of real political will in developed countries could, with relatively few resources in comparison to what these countries spend annually on armaments, on warfare, on commercial advertising and on financial mega-projects, do much for the right to life and the right to development of millions of people. For example, with less than $10 billion a year, equivalent to 0.004 per cent of the gross domestic product of OECD countries, it is possible to ensure primary education for 1.5 billion illiterate children.

10. Cuba agrees with the increasing political and social commentators who are criticizing the current neoliberal order. Another world is not only possible, it is essential. Current projects put in place by developed countries and international organs to confront development challenges aggravated by neoliberal globalization are only palliatives that do not resolve the grave problems of inequality existing in the modern world. In fact, deep, integrated, innovative and simultaneous means — such as the cancellation of external debt — are needed. Similarly, overseas development assistance should be tripled, at least, and should not be subject to conditions or subordinated to the economic and political interests of donor countries. Furthermore, preferential trade agreements and formulas to compensate for increasing inequality should be implemented. The international financial institutions should be restructured and the United Nations should be democratized so that it is really effective. A development fund should be created, made up of 0.1 per cent of international financial transactions, which could be administered by the United Nations for programmes for the most needy. Finally, military expenditure should be reduced by 50 per cent, which should generate $400 billion that could be channelled towards sustainable development.

Finland

[Original: English]

1. According to the Finnish Government, the report of the Minister for Foreign Affairs to the Foreign Affairs Committee in 2000 addressed and analysed globalization from a human rights perspective and the Finnish Government took steps to mainstream a human rights perspective in the Finnish White Paper on the management of globalization published in 2001. The Government is giving increasing attention to the question of globalization by preparing follow-up reports to the human rights policy report and the White Paper on the management of globalization of 2003-2004.

2. The Government of Finland stresses the great importance of an active and innovative human rights policy as an integral part of its foreign and security policy. In particular, Finland highlights the interdependence and interrelatedness of all human rights as part of its human rights policy, noting that it is virtually impossible to draw distinctions between civil and political rights and economic, social and cultural rights. Importantly, economic, social and cultural rights have gained special significance in the context of globalization as a result of their great potential to add a human rights framework to economically motivated activity. In this context, Finland supports the work of the open-ended working group established by the Commission on Human Rights to elaborate an optional protocol to the International Covenant on Economic, Social and Cultural Rights as a means of improving the legally binding nature of these rights and further clarifying their content.

3. Finland considers globalization to be predominantly an inevitable and positive development that creates new possibilities. Among positive elements, consumers are increasingly concerned that the goods they purchase are produced by enterprises respecting sound ethical norms. As a result, Finnish companies continue to discuss corporate social responsibility, including in the area of human rights. However, not everyone has access to these advantages and globalization also involves considerable risks. In particular, the rights of women, children, the disabled, minorities and indigenous peoples are most at risk.

4. Finland finds the human rights perspective to be particularly relevant in the context of poverty alleviation, which is a major concern of the international community, and it is fully committed to the implementation of the United Nations Millennium Development Goals. In this context, Finland considers the rule of law, transparency and good governance as key requirements in any solid human rights culture and as comparative economic advantages. In particular, Finland considers it is important to research both the positive and negative impacts of globalization and recognizes that one of the key democratic challenges resulting from globalization is the need to give individual citizens a real role as a political force in the globalization process.

5. In December 2002, Finland organized the Helsinki Conference, bringing together over 150 representatives of Governments, civil societies, private enterprises, international organizations and academic experts from both developed and developing countries to discuss globalization and democracy with the aim of establishing new global partnerships that could lead to lasting positive results of globalization on the basis of equality and inclusiveness. Finland is currently preparing to establish a working group to facilitate follow-up to the Conference. Finland has also co-chaired the World Commission on the Social Dimension of Globalization of the International Labour Organization.

6. Finally, Finland notes that positive developments, inter alia, new opportunities for travel, have sometimes had controversial effects, such as trafficking in women and children, which is a major human rights concern. The protection of the human rights of victims as well as efforts aimed at their rehabilitation are of primary importance.

Italy

[Original: English]

1. The Government of Italy reports that in the context of globalization, Italy is committed to the fight against extreme poverty and to the promotion of the advancement of the right to development.

2. Italy has taken a number of steps to further this objective. In the area of debt relief, Italy has signed 24 agreements within the framework of the reinforced Highly Indebted Poor Country Initiative, 16 of which concerned "interim debt relief". In this regard, Italy has adopted Law No. 209/2000, entitled "Measures for the reduction of the foreign debt of least developed countries". In international and European forums, Italy continues to draw attention to the needs of developing countries and to this end pledged €1 million in August 2003 to the Doha Development Agenda Global Trust Fund. Italy, together with the European Union, has promoted in the General Assembly the basic needs of low-income countries by giving primary consideration to the right to food, the right to health and the right to education.

3. Italy is also undergoing an extended reform, since 1996, of its development cooperation programme. The reform concerns, among other things: the launch of a $120 million programme for poverty reduction; the mainstreaming of poverty reduction in Italian aid programmes; the launch of country strategy programmes in partnership with recipient countries; and the establishment of field offices in 20 countries. Italy believes good governance and the rule of law play an essential role and Italy's assistance with regard to human rights promotes the strengthening of good governance.

4. Italy seeks to provide effective, poverty-reducing, partnership-driven development cooperation programmes in countries of the Mediterranean, south-east Europe, the Horn of Africa and southern Africa, among other regions. Such programmes include contributions for humanitarian disaster relief and the provision of support for Governments in transition. Italy is fully involved in implementing the Genoa Plan for Africa, adopted at the Genoa G-8 Summit in July 2001. Multilaterally, Italy supports several United Nations agencies, particularly the Food and Agriculture Organization of the United Nations, to which it increased its contribution from zero in 1980 to $490 million in 1997. Programmes cover a range of areas from livestock production and animal health to forestry, fisheries and crop production, from Africa to Latin America and Asia.

Syrian Arab Republic

[Original: Arabic]

1. The response of the Government of the Syrian Arab Republic sets out a series of constitutional measures protecting human rights. Article 25 of the Constitution stipulates that freedom is a sacred right. Article 25 also ensures the primacy of law as a fundamental principle of society and the State and guarantees equality before the law and equal opportunity for citizens. Article 26 ensures everyone has the right to participate in political, economic, social and cultural life, as regulated by law. Article 27 requires that rights and freedoms should be exercised in accordance with

the law. Article 13 stipulates that the State economy is a socialist economy that seeks to eliminate all forms of exploitation. Article 36 guarantees that work is the right and duty of every citizen and that the State undertakes to provide work for everyone.

2. The Government of the Syrian Arab Republic sets out international treaties that have been ratified or acceded to as follows: the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Establishment of the Arab Women's Organization; the Syrian Commission for Family Affairs; the two optional protocols to the Convention on the Rights of the Child; the Forced Labour Convention, 1930 (No. 29); the Freedom of Association and Protocol to the Right to Organize Convention, 1948 (No. 87); the Right to Organize and Collective Bargaining Convention, 1949 (No. 98); the Equal Remuneration Convention, 1951 (No. 100); the Abolition of Forced Labour Convention, 1957 (No. 105); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Minimum Age Convention, 1973 (No. 138); the Worst Forms of Child Labour Convention, 1999 (No.182).